

METROPOLITAN DEVELOPMENT COMMISSION
DOCKET NO. 97-AO-11

A GENERAL ORDINANCE amending the Improvement Location Permit Ordinance of Marion County, Appendix D, Part 17 of the Code of Indianapolis and Marion County, as amended.

WHEREAS, IC 36-7-4, as amended establishes a single planning and zoning authority in counties having consolidated cities and grants certain powers relative the zoning and districting of land to the Metropolitan Development Commission and the City-County Council of such counties having consolidated cities, in order to unify the planning and zoning functions thereof; and,

WHEREAS, the Metropolitan Development Commission of Marion County, Indiana, has adopted and certified, pursuant to IC 36-7-4, as amended, various segments of its Comprehensive Plan of Marion County, Indiana; and,

WHEREAS, said IC 36-7-4, as amended, empowers the Metropolitan Development Commission of Marion County, Indiana, after such comprehensive plan certification, to recommend to the City-County Council an ordinance or ordinances for the zoning or districting of all lands within the County to the end that adequate light, air, convenience of access and safety from fire, flood and other danger may be secured; that congestion in the public streets may be lessened or avoided; that property values may be preserved; and the public health, safety, comfort, morals, convenience and general public welfare may be promoted; and,

WHEREAS, said IC 36-7-4, as amended, grants certain Improvement Location Permit powers to said Commission; and,

WHEREAS, the Metropolitan Development Commission and the City-County Council desire to address the needs of the citizens of Marion County in preparing an ordinance which meets the long-term needs of the City/County as a whole; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Improvement Location Permit Ordinance, Appendix D, Part 17, of the Municipal Code of Indianapolis and Marion County, Indiana, as adopted under Metropolitan Development Commission Docket Numbers 68-AO-11, 71-AO-1, 75-AO-2, 88-AO-1, and 93-AO-3, 95-AO-2, and 97-AO-4 is further amended as follows:

A. That Section 2.00, B, be amended by inserting the following language as follows:

18. *Structure*. For purposes of this ordinance, a "structure", for which an Improvement Location Permit shall be required, shall include any building, sign or other structure, constructed or erected, the use of which requires a more or less specific location upon the ground, whether permanently affixed to the ground, temporary or mobile. For purposes of this ordinance, an underground storage tank also shall be considered a structure for which an Improvement Location Permit shall be required within the W-1 and W-5 Districts of the Wellfield Protection Zoning Ordinance of Marion County, Indiana, 95-AO-6 as amended.

20. *Underground storage tank*. The definition of an underground storage tank shall be as defined in the Wellfield Protection Zoning Ordinance of Marion County, Indiana, 95-AO-6, as amended.

SECTION 2. If any provision of this ordinance shall be held invalid, its invalidity shall not affect any other provisions of this ordinance that can be given effect without the invalid provision, and for this purpose the provisions of this ordinance are hereby declared to be severable.

SECTION 3. This ordinance shall be in full force and effect from and after adoption in compliance with IC 36-7-4.

The foregoing was passed by the City-County Council this 19th day of May, 1997 at 9:25 p.m.

ATTEST:


Suellen Hart
Suellen Hart, Clerk, City-County Council


Dr. Beurt SerVaas
President, City-County Council

STATE OF INDIANA, MARION COUNTY)
) SS:
CITY OF INDIANAPOLIS)

I, Suellen Hart, Clerk of the City-County Council, Indianapolis, Marion County, Indiana, do hereby certify the above and foregoing is a full, true, and complete copy of Proposal No. 212, 1997, a Proposal for GENERAL ORDINANCE, passed by the City-County Council on the 19th day of May, 1997, by a vote of 26 YEAS and 0 NAYS, and was retitled General Ordinance No. 77, 1997, and now remains on file and on record in my office.

WITNESS my hand and the official seal of the City of Indianapolis, Indiana, this 23rd day of May, 1997.


Suellen Hart, Clerk, City-County Council

(SEAL)